

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

In Re  
THOMAS KELLEY

Civil Action No. 06-CV-14282-DT  
Bankruptcy No. 06-41955-tjt

Debtor.

HON. BERNARD A. FRIEDMAN

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**OPINION AND ORDER DENYING BANKRUPTCY APPEAL**  
**and**  
**AFFIRMING BANKRUPTCY COURT'S DECISION**

This matter is presently before the Court on a bankruptcy appeal by Debtor-Appellant Thomas Kelley (“Appellant Kelley”), who filed a notice of appeal on September 28, 2006. Appellant Kelley is appealing the bankruptcy court’s order denying his third motion for reconsideration, which was issued in September 2006.

Appellant Kelley filed his appellant brief on October 25, 2006. Trustee Timothy Miller (“Appellee Miller”) did not file an appellee brief. The Court has reviewed the brief and relevant documents. Pursuant to E.D. Mich. LR 7.1(e)(2), the Court shall decide the appeal without oral argument.

In its order denying Kelley’s motion, the bankruptcy court explained that “[t]his is Debtor’s third motion for reconsideration of the Court’s May 9, 2006 Order of Dismissal.” Furthermore, the bankruptcy court stated that it “will not entertain any further motions for reconsideration” and “[i]f Debtor files any further such motions, they will be of no force or effect.” The Court finds that the bankruptcy judge reached the correct conclusion for the proper reasons. The motion is frivolous. Accordingly,

IT IS ORDERED that the bankruptcy appeal is denied.

IT IS FURTHER ORDERED that the bankruptcy court's decision is affirmed.

\_\_\_\_\_s/Bernard A. Friedman\_\_\_\_\_  
BERNARD A. FRIEDMAN  
CHIEF UNITED STATES DISTRICT JUDGE

Dated: January 19, 2007  
Detroit, Michigan

**I hereby certify that a copy of the foregoing document  
was served this date upon counsel of record  
electronically and/or via first-class mail.**

/s/ Patricia Foster Hommel  
Patricia Foster Hommel  
Secretary to Chief Judge Friedman